

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to LUMUS J. GOUGIS, CHUCK L. PANCHERI, DEANN D. PANCHERI
AND JOHN PANCHERI

5500 Bolsa Avenue, No. 201

Huntington Beach, CA 92649

their heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. That portion of that certain storm drain easement, 12.00 foot in width, lying within Parcel 7 of Parcel Map 16229, as shown by map on file in Book 115 of Parcel Maps, at Pages 40 and 41 thereof, records of Riverside County, California as shown on the attached Exhibit "A",

in accordance with the terms hereof.

1. Permittee shall use and occupy the described property only in the manner and for the purposes as follows: Construction and maintenance of a concrete walkway and a concrete parking area with curb encroaching into said storm drain easement as shown on the attached Exhibit "A".

1a. The Permittee shall be held responsible for any damages incurred to the storm drain during the construction, maintenance or operation of said walkway and parking area.

1b. The Permittee understands and agrees to indemnify and hold harmless the City of Riverside from any and all damages incurred to said walkway and parking area as a result of the reconstruction, maintenance, operation, inspection, replacement, relocation or removal of said storm drain.

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the property to be in the City of Riverside and waives any right to contest the validity of the dedication or grant.

3. Permittee acknowledges that the described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration or revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee. If the Permittee fails to abide by the removal order of the City within the time prescribed, the City shall have the right to remove and destroy the improvements without reimbursement to the Permittee and the cost of such removal shall be paid by the Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

4. Permittee, by acceptance hereof, waives the right of claim, loss, damage or action against the City of Riverside arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Riverside, its officers, agents or employees taken in accordance with the terms hereof.

5. Finding and determination by the City Council of the City of Riverside that the Permittee, or his heirs and assigns or successors in interest, are in default of the terms hereunder shall be cause for revocation.

6. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims, demands, costs, losses, damages, injuries, action for damages and/or injuries, and liability growing or arising out of or in connection with the construction, encroachment, and/or maintenance to be done by Permittee or his agents, employees or contractors within the described property.

DATED: AUG 10 1989

CITY OF RIVERSIDE, a municipal corporation

By Ronald O. Louverdy Mayor Pro Tempore

Attest Alice A. Ware City Clerk

The foregoing is accepted by:

Lynn J. Hargis
(Signature(s) of Permittee)
Clive D. Hargis
Dawn D. Hargis
John P. Hargis

APPROVED AS TO CONTENT

Barry Bell
Department Head

APPROVED AS TO FORM

John Woodhead
City Attorney

CITY MANAGER APPROVAL

Robert E. Hammond
City Manager